

JONES DAY
North Point
901 Lakeside Avenue
Cleveland, Ohio 44114
Telephone: (216) 586-3939
Facsimile: (216) 579-0212
David G. Heiman (admitted *pro hac vice*)
Carl E. Black (admitted *pro hac vice*)
Thomas A. Wilson (admitted *pro hac vice*)

Attorneys for Debtors and Debtors in Possession

HUNTON & WILLIAMS LLP
Riverfront Plaza, East Tower
951 East Byrd Street
Richmond, Virginia 23219
Telephone: (804) 788-8200
Facsimile: (804) 788-8218
Tyler P. Brown (VSB No. 28072)
J.R. Smith (VSB No. 41913)
Henry P. (Toby) Long, III (VSB No. 75134)
Justin F. Paget (VSB No. 77949)

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:

Alpha Natural Resources, Inc., et al.,

Debtors.

Chapter 11

Case No. 15-33896 (KRH)

(Jointly Administered)

**NOTICE OF AGENDA OF MATTERS
SCHEDULED FOR HEARING ON DECEMBER 17, 2015**

Time of Hearing: 10:00 a.m. (prevailing Eastern Time)

Location of Hearing: Courtroom of the Honorable Kevin R. Huennekens, United States Bankruptcy Court for the Eastern District of Virginia, Richmond Division, 701 East Broad Street, Courtroom 5000, Richmond, Virginia 23219

RESOLVED MATTERS

1. Motion of Bank of the West for Relief from the Automatic Stay [Docket No. 884].

Status: This matter has been resolved.

Objection Deadline: December 10, 2015. By agreement of the parties, the deadline for the Debtors to object has been extended indefinitely pending resolution of this matter.

Related Documents: None to date.

Objections Received: None to date.

The Movant and the Debtors have resolved this matter consensually, and the Debtors will submit a proposed form of stipulated order reflecting such resolution for the Court's consideration.

WITHDRAWN MATTERS

2. Motion of Black Hills Power, Inc. for Relief from Stay [Docket No. 701].

Status: This matter has been withdrawn.

Objection Deadline: November 2, 2015. By agreement of the parties, the deadline for the Debtors to object has been extended to January 19, 2016, pending a consensual resolution of this matter.

Related Documents:

- A. Motion of Black Hills Power, Inc. for Expedited Hearing on Motion of Black Hills Power, Inc. for Relief from Stay [Docket No. 704].
- B. Notice of Withdrawal of Motion of Black Hills Power, Inc. for Relief From Stay [Filed by Black Hills Power, Inc.; Docket No. 1084].

Objections Received: None to date.

The Movant and the Debtors have resolved this matter consensually, and the Motion has been withdrawn [Docket No. 1084].

ADJOURNED MATTERS

3. Joint Motion of West Virginia Litigation Claimants for Relief from the Automatic Stay [Docket No. 490].

Status: In accordance with paragraph 1(e) of the Case Management Procedures approved pursuant to the *Order Establishing Certain Notice, Case Management and Administrative Procedures* (Docket No. 111) (the "Case Management Procedures"), the hearing on this matter is adjourned until January 21, 2016 at 10:00 a.m. (Eastern Time).

Objection Deadline: November 26, 2015. By agreement of the parties, the deadline for the Debtors to object has been extended until January 14, 2016.

Related Documents: None to date.

Objections Received: None to date.

4. Motion for Order Authorizing and Compelling Examinations and Production of Documents Pursuant to Rule 2004 [Filed by West Virginia Litigation Claimants; Docket No. 492].

Status: In accordance with paragraph 1(e) of the Case Management Procedures, the hearing on this matter is adjourned until January 21, 2016 at 10:00 a.m. (Eastern Time).

Objection Deadline: November 26, 2015. By agreement of the parties, the deadline for the Debtors to object has been extended until January 14, 2016.

Related Documents: None to date.

Objections Received: None to date.

5. Motion of the Debtors, Pursuant to Section 363 of the Bankruptcy Code, for an Order Authorizing Debtors to Terminate Certain Unvested Non-Pension Benefits [Docket No. 797].

Status: In accordance with paragraph 1(e) of the Case Management Procedures, the hearing on this matter is adjourned until January 21, 2016 at 10:00 a.m. (Eastern Time).

Objection Deadline: November 27, 2015.

Related Documents:

- A. Declaration of Judy Tweed Hill, Vice President, Benefits of Alpha Natural Resources, Inc. in Support of Motion of the Debtors, Pursuant to Section 363 of the Bankruptcy Code, for an Order Authorizing Debtors to Terminate Certain Unvested Non-Pension Benefits [Filed by the Debtors; Docket No. 799].
- B. Notice of Adjournment [Filed by the Debtors; Docket No. 988].

Objections Received:

- C. Response to Motion of the Debtors, Pursuant to Section 363 of the Bankruptcy Code, for an Order Authorizing Debtors to Terminate Certain Unvested Non-Pension Benefits [Filed by Michael J. Quillen, *et al.*; Docket No. 877].
- D. Response to Motion of the Debtors, Pursuant to Section 363 of the Bankruptcy Code, for an Order Authorizing Debtors to Terminate Certain Unvested Non-Pension Benefits [Filed by Harold Helton; Docket No. 879].
- E. Objection to Motion of the Debtors, Pursuant to Section 363 of the Bankruptcy Code, for an Order Authorizing Debtors to Terminate Certain Unvested Non-Pension Benefits [Filed by David Canterbury, *et al.*; Docket No. 880].

- F. The United Mine Workers of America's (I) Response and Limited Objection to Debtors' Motion to Terminate Certain Unvested Non-Pension Obligations; (II) Statement in Support of Motion for Continuance; and (III) Statement Regarding the Motion to Appoint Retiree Committee [Docket No. 907].
 - G. Response [Filed by Donald E. Keener, Jr.; Docket No. 914].
 - H. Response [Filed by Timothy M. Talley; Docket No. 915].
 - I. Response [Filed by Randy Miller; Docket No. 916].
 - J. Response [Filed by Roy West; Docket No. 928].
 - K. Response [Filed by Don Rey Reed; Docket No. 929].
 - L. Response [Filed by E. Leroy Tidwell; Docket No. 1019].
6. Motion for Entry of an Order Pursuant to 11 U.S.C. Section 362 Modifying the Automatic Stay [Filed by Glenn Jenkins, *et al.*; Docket No. 862].

Status: In accordance with paragraph 1(e) of the Case Management Procedures, the hearing on this matter is adjourned until January 21, 2016 at 10:00 a.m. (Eastern Time).

Objection Deadline: November 26, 2015.

Related Documents: None to date.

Objections Received:

- A. Objection of the Debtors to Jenkins Plaintiffs' Motion for Entry of an Order Pursuant to 11 U.S.C. Section 362 Modifying the Automatic Stay [Docket No. 995].

The Movant and the Debtors are currently engaged in negotiations to resolve this matter consensually.

UNCONTESTED MATTERS

- 7. Motion of the Debtors for an Order Establishing Bar Dates for Filing Proofs of Claim and Approving Form and Manner of Notice Thereof [Docket No. 1035].

Status: The hearing on this matter is going forward.

Objection Deadline: December 14, 2015.

Related Documents: None to date.

Objections Received: None to date.

The Debtors received several informal responses to the Motion and will submit a revised proposed order reflecting the resolution of such informal responses.

8. Motion of Debtor Foundation PA Coal Company, LLC for an Order Establishing Procedures for the Potential Sale of Shares of Rice Energy, Inc. [Docket No. 1036].

Status: The hearing on this matter is going forward.

Objection Deadline: December 14, 2015.

Related Documents: None to date.

Objections Received: None to date.

The Debtors received an informal response to the Motion from the official committee of unsecured creditors appointed in these chapter 11 cases (the "Committee"). The Debtors and the Committee have resolved the issues raised in the informal response, and the Debtors will submit a revised proposed order reflecting such resolution.

9. Motion of the Debtors, Pursuant to Sections 107(b)(1) and 107(c)(1) of the Bankruptcy Code and Bankruptcy Rule 9018, to File Under Seal Appendix 2 to Declaration of Robert Romanchek in Support of Motion of the Debtors for Entry of an Order (I) Authorizing Payments Under 2015 Annual Incentive Bonus Plan and (II) Approving Key Employee Incentive Plan for Certain Insider Employees for 2016 [Docket No. 1039].

Status: The hearing on this matter is going forward.

Objection Deadline: December 14, 2015.

Related Documents: None to date.

Objections Received: None to date.

CONTESTED MATTERS

10. Motion for an Order Directing the Appointment of an Official Committee of Equity Security Holders [Filed by George Keritsis, *et al.*; Docket No. 998].

Status: The hearing on this matter is going forward.

Objection Deadline: December 10, 2015.

Related Documents: None to date.

Objections Received:

- A. The United States Trustee's Opposition to Motion for an Order Directing the Appointment of an Official Committee of Equity Security Holders [Docket No. 1057].

- B. Objection of the Administrative Agent for the Pre-Petition and Debtor-in-Possession Credit Facilities and the Steering Committee of DIP Lenders and Pre-Petition Lenders to the Moving Shareholders' Motion for an Order Directing the Appointment of an Official Committee of Equity Security Holders [Docket No. 1060].
 - C. Objection of Official Committee of Unsecured Creditors to Motion Directing the Appointment of an Official Committee of Equity Security Holders [Docket No. 1061].
 - D. Objection of the Debtors to Movants' Motion for an Order Directing the Appointment of an Official Committee of Equity Security Holders [Docket No. 1062].
 - E. Corrected Objection of Official Committee of Unsecured Creditors to Motion Directing the Appointment of an Official Committee of Equity Security Holders [Docket No. 1063].
11. Motion of the Debtors for Entry of an Order (I) Authorizing Payments Under 2015 Annual Incentive Bonus Plan and (II) Approving Key Employee Incentive Plan for Certain Insider Employees for 2016 [Docket No. 1038].

Status: The hearing on this matter is going forward, except with respect to the relief requested in the Motion solely regarding the key employee incentive plan (the "KEIP") for certain insider employees for 2016, the hearing on which, in accordance with paragraph 1(e) of the Case Management Procedures, is adjourned until January 12, 2016 at 10:00 a.m. (Eastern Time).

Objection Deadline: December 14, 2015. The deadline for objections regarding the relief requested in the Motion solely with respect to the KEIP has been extended until January 7, 2016.

Related Documents:

- A. Sealed Exhibit to Motion of the Debtors for Entry of an Order (I) Authorizing Payments Under 2015 Annual Incentive Bonus Plan and (II) Approving Key Employee Incentive Plan for Certain Insider Employees for 2016 [Filed by the Debtors; Docket No. 1040].
- B. Notice of Adjournment [Filed by the Debtors; Docket No. 1087].

Objections Received:

- C. Objection to Debtors Motion for Entry of an Order (I) Authorizing Payments Under 2015 Annual Incentive Bonus Plan; and (II) Approving Key Employee Incentive Plan for Certain Insider Employees for 2016 [Filed by the official committee of retired employees appointed in these chapter 11 cases (the "Retiree Committee"); Docket No. 1067].
12. Motion of the Debtors, Pursuant to Bankruptcy Rule 9019, for Entry of an Order Concerning Reclamation Bonding of Their Surface Coal Mining Operations in West Virginia [Docket No. 1049].

Status: The hearing on this matter is going forward.

Objection Deadline: December 14, 2015.

Related Documents:

- A. Motion of the Debtors for Entry of an Order Expediting Consideration of, and Shortening the Notice Period Applicable to, the Motion of the Debtors, Pursuant to Bankruptcy Rule 9019, for Entry of an Order Concerning Reclamation Bonding of Their Surface Coal Mining Operations in West Virginia [Docket No. 1050].
- B. Reservation of Rights of Pocahontas Land Company in Connection with the Motion of the Debtors, Pursuant to Bankruptcy Rule 9019, for Entry of an Order Concerning Reclamation Bonding of Their Surface Coal Mining Operations in West Virginia [Docket No. 1072].
- C. Reservation of Rights of United States of America in Response to Motion of the Debtors, Pursuant to Bankruptcy Rule 9019, for Entry of an Order Concerning Reclamation Bonding of Their Surface Coal Mining Operations in West Virginia [Docket No. 1080].

Objections Received:

- D. Objection of Sierra Club, West Virginia Highlands Conservancy and Ohio Valley Environmental Coalition to Debtors' Motion for Entry of an Order Expediting Consideration of, and Shortening the Notice Period Applicable to, the Settlement Motion [Docket No. 1079].
- E. Objection of Sierra Club, West Virginia Highlands Conservancy and Ohio Valley Environmental Coalition to Debtors' Motion, Pursuant to Bankruptcy Rule 9019, for Entry of Stipulation and Order Concerning Reclamation Bonding of Their Surface Coal Mining Operations in West Virginia [Docket No. 1082].

Dated: December 15, 2015
Richmond, Virginia

Respectfully submitted,

/s/ Henry P. (Toby) Long, III
Tyler P. Brown (VSB No. 28072)
J.R. Smith (VSB No. 41913)
Henry P. (Toby) Long, III (VSB No. 75134)
Justin F. Paget (VSB No. 77949)
HUNTON & WILLIAMS LLP
Riverfront Plaza, East Tower
951 East Byrd Street
Richmond, Virginia 23219
Telephone: (804) 788-8200
Facsimile: (804) 788-8218

David G. Heiman (admitted *pro hac vice*)
Carl E. Black (admitted *pro hac vice*)
Thomas A. Wilson (admitted *pro hac vice*)
JONES DAY
North Point
901 Lakeside Avenue
Cleveland, Ohio 44114
Telephone: (216) 586-3939
Facsimile: (216) 579-0212

ATTORNEYS FOR DEBTORS AND
DEBTORS IN POSSESSION